

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

RONNIE GILES,

PLAINTIFF,

V.

**CIVIL ACTION NO: 3:06-cv-
00528-WKW-VPM**

MASTERBRAND CABINETS, INC.,

DEFENDANT.

**PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION TO DISMISS
PLAINTIFF'S CLAIM FOR EMOTIONAL DISTRESS DAMAGES**

COMES NOW the Plaintiff, by and through undersigned counsel, and responds to Defendant's Motion to Dismiss Plaintiff's Claim for Emotional Distress Damages:

1. Plaintiff voluntarily dismisses his claim for mental anguish damages pursuant to his claim of retaliation under the FMLA.

WHEREFORE PREMISES CONSIDERED, Plaintiff moves this Court to allow voluntarily dismissal of Plaintiff's claim for emotional distress damages.

Respectfully submitted,

/s/ Allen D. Arnold

Allen D. Arnold

OF COUNSEL:
ARENDALL & ASSOCIATES
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CERTIFICATE OF SERVICE

I have filed the foregoing with the Clerk of the Court using the CM/ECF system on July 13, 2007, which will forward a copy to:

Mark J. Romaniuk
Kelley Bertoux Creveling

/s/ Allen D. Arnold

Of Counsel